

09/607,256  
Attorney Docket: 042390P7708

10/C  
EWM  
10-24-03  
AJE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )

David M Barth, et. al. )

Examiner: Casiano, Angel L. )

Application No.: 09/607,256 )

Art Unit: 2182 )

Docket No.: 042390P7708 )

Filed: June 30, 2000 )

For: METHOD AND APPARATUS FOR A )  
SCHEDULING DRIVER TO IMPLEMENT )  
A PROTOCOL UTILIZING TIME )  
ESTIMATES FOR USE WITH A DEVICE )  
THAT DOES NOT GENERATE )  
INTERRUPTS )

AMENDMENT AND RESPONSE AFTER FINAL

MAIL STOP AF  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on July 16, 2003, please reconsider the pending and added claims based on the following amendment and discussion.

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

By: Anne Collette  
Anne Collette

Date: 10/15/2003

**BLAKELY  
SOKOLOFF  
TAYLOR &  
ZAFMAN**A LIMITED LIABILITY  
PARTNERSHIP INCLUDING  
LAW CORPORATIONS1279 OAKMEAD PARKWAY  
SUNNYVALE, CALIFORNIA 94085  
(408) 720-8300 (Tel phone)  
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OCT 15 2003

**FACSIMILE TRANSMITTAL SHEET****OFFICIAL**

Deliver to: Examiner Angel L. Casiano  
Firm Name: U.S. Patent & Trademark Office  
Fax Number: 703-746-7238 Telephone No.: \_\_\_\_\_  
From: Joni D. Stutman-Horn  
Date: October 14, 2003  
Operator: Anne Collette Client/Matter: 042390.P7708  
Application Serial No.: 09/607,256  
Number of pages including cover sheet: 18

Dear Examiner:

Please find the following documents attached:

1. Fee Transmittal (1 page)
2. Amendment and Response After Final (16 pages)

Thank you.

**CONFIDENTIALITY NOTE**

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PTO/SB/17 (10-03)

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 234.00)

**Complete if Known**

Application Number 09/607,256

Filing Date June 30, 2000

First Named Inventor David M. Barth

Examiner Name Angel L. Casiano

Art Unit 2182

Attorney Docket No. 042390P7708

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**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

02-2666

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ )

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
55	- 42 = 13	X 18	= 234
Independent Claims	3 - 3 = 0	X 88	= 0
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 88	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 234.00)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

**SUBMITTED BY**

Name (Print/Type) Joni D. Stutman-Horn

Registration No. 42,173

Telephone 703-633-6845

Signature

Date 10-15-2003

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